

<b>J. Paul Levesque &amp; Sons, Inc.</b>	)	<b>Department</b>
<b>Aroostook County</b>	)	<b>Findings of Fact and Order</b>
<b>Ashland, Maine</b>	)	<b>Part 70 Air Emission License</b>
<b>A-489-70-A-I</b>	)	

After review of the Initial Part 70 License application, staff investigation reports and other documents in the applicant's file in the Bureau of Air Quality, pursuant to 38 M.R.S.A, Section 344 and Section 590, the Department finds the following facts:

# **I. Registration**

## **A. Introduction**

FACILITY	J. Paul Levesque & Sons, Inc. (J.P. Levesque)
LICENSE NUMBER	A-489-70-A-I
LICENSE TYPE	Initial Part 70 License
SIC CODES	2421
NATURE OF BUSINESS	Lumber Manufacturer
FACILITY LOCATION	P.O. Box X, Ashland, Maine 04732
DATE OF LICENSE ISSUANCE	July 17, 2001
LICENSE EXPIRATION DATE	July 17, 2006

## **B. Emission Equipment**

The following emission units are addressed by this Part 70 License:

EMISSION UNIT ID	UNIT CAPACITY	UNIT TYPE
Boiler #2	39.3 MMBtu/hr (wood and biomass)	Industrial Boiler
Woodyard	5.8 acres	Storage area
Sawmill #1 (Stud mill)	7,000 BF/hour	Process Equipment
Sawmill #2 (Planar mill)	7,000 BF/hour	Process Equipment
Sawmill #3 (Pine mill)	7,000 BF/hour	Process Equipment
Kilns	180,000 BF per batch	Drying Kilns

J. P. Levesque has additional insignificant activities, which do not need to be listed in the emission equipment table above. A list of insignificant activities can be found in Appendix B of Chapter 140 of the Department's regulations.

## **C. Application Classification**

The application for J.P. Levesque does not include the licensing of increased emissions or the installation of new or modified equipment, therefore the license is considered to be an Initial Part 70 License issued under Chapter 140 of the Department's regulations for a Part 70 source.

## II. EMISSION UNIT DESCRIPTION

### A. Process Description

J.P. Levesque saws whole logs into lumber. The logs are debarked and sawed in the sawmills, and then are sent to the kilns to be dried, or planed.

### B. Boiler #2, wood fired boiler

Boiler #2 was manufactured by Industrial Boiler Company with a maximum design heat input of 39.3 MMBtu/hr firing wood and wood waste. The boiler was installed prior to the New Source Performance Standards (NSPS) Subpart Dc applicability date. The boiler is equipped with a Zurn Multicyclone Centrifugal Dry Collector, and also has a fly ash re-injection system to reduce particulate matter (PM) emissions. The boiler supplies steam to the drying kilns, as well as for heating purposes. Emissions exit through a 70 foot stack.

#### Streamlining

##### Opacity

J.P. Levesque accepts streamlining for opacity requirements. Chapter 101, Section 2(A)(1) of the Department's regulations and Best Practical Treatment (BPT) requirements are applicable. The Best Practical Treatment (BPT) opacity limit is more stringent. Therefore, only the more stringent BPT opacity limit is included in this license.

##### Particulate Matter

J.P. Levesque accepts streamlining for particulate matter requirements. Chapter 103 of the Department's regulations and BPT requirements are applicable. The Best Practical Treatment (BPT) particulate matter limit is more stringent. Therefore, only the more stringent BPT particulate matter limit is included in this license.

##### Sulfur Dioxide

J.P. Levesque fires wood and wood waste, which has a negligible sulfur content.

### C. Drying Kilns

J.P. Levesque operates four kilns for drying lumber, which are heated by Boiler #2. Yearly throughput is approximately 70 million board feet per year based on a 12-month rolling total.

#### Periodic Monitoring

Periodic monitoring shall consist of recordkeeping, which includes monthly records of board feet of each species of wood processed.

D. Woodyard

The woodyard is used for log unloading, wood chipping, and wood chip and lumber storage and loading. J.P. Levesque shall be required to control fugitive dust emissions from the woodyard.

E. Sawmills #1 (Stud mill) and #3 (Pine mill)

Wood logs are processed through the sawmill, resulting in rough green lumber and waste wood. Rough green lumber is then processed through the drying kilns, and waste wood is chipped for later use in the boiler or may be sold to the pulp and paper industry as pulp grade wood chips. J.P. Levesque shall be required to control fugitive dust emissions from the sawmill process, as well as from process cyclones, which are vented to the atmosphere.

F. Planar Mill

The planar mill consists of equipment to plane, trim, cut, chip, grade and sort lumber. J.P. Levesque shall be required to control fugitive dust emissions from the sawmill process, as well as from process cyclones, which are vented to the atmosphere.

G. Gasoline Storage

J.P. Levesque has a 3,000 gallon tank used to store gasoline for use in company vehicles. Since the capacity of the tank is less than 10,000 gallons, J.P. Levesque is therefore not subject to NSPS Subparts K, Ka, and Kb. J.P. Levesque is subject to MEDEP Chapter 118, 3A, which states that a submerged fill pipe must extend into the stationary gasoline storage tank to within six (6) inches of the bottom of the stationary gasoline storage tank.

Periodic monitoring

Periodic monitoring shall consist of recordkeeping, which includes monthly records of gasoline throughput. Should J.P. Levesque's monthly throughput at any time exceed 10,000 gallons per month, the tank would then be subject to MEDEP Chapter 118.

H. Degreaser Units

J.P. Levesque operates two degreaser units, which are subject to MEDEP Chapter 130.

Periodic monitoring

Periodic monitoring for the degreaser units shall consist of recordkeeping including records of solvent added and removed.

E. Facility Emissions

**Total Allowable Annual Emissions for the Facility**  
(used to calculate the license fee)

<b>Pollutant</b>	<b>Tons/Year</b>
PM	24.1
PM <sub>10</sub>	24.1
SO <sub>2</sub>	1.6
NO <sub>x</sub>	6.9
CO	120.5
VOC	183.5

### **III. AIR QUALITY ANALYSIS**

J.P. Levesque previously submitted an ambient air quality analysis demonstrating that emissions from the facility, in conjunction with all other sources, do not violate ambient air quality standards. An additional ambient air quality analysis is not required for this Initial Part 70 License.

### **ORDER**

Based on the above Findings and subject to conditions listed below, the Department concludes that emissions from this sources:

- will receive Best Practical Treatment;
- will not violate applicable emissions standards
- will not violate applicable ambient air quality standards in conjunction with emissions from other sources.

The Department hereby grants the Part 70 License A-489-70-A-I pursuant to MEDEP Chapter 140 and the preconstruction permitting requirements of MEDEP Chapter 115 and subject to the standard and special conditions below.

All federally enforceable and State-only enforceable conditions in existing air licenses previously issued to J.P. Levesque pursuant to the Department's preconstruction permitting requirements in Chapters 108 or 115 have been incorporated into this Part 70 license, except for such conditions that MEDEP has determined are obsolete, extraneous or otherwise environmentally insignificant, as explained in the findings of fact accompanying this permit. As such the conditions in this license supercede all previously issued air license conditions.

Federally enforceable conditions in this Part 70 license must be changed pursuant to the applicable requirements in Chapter 115 for making such changes and pursuant to the applicable requirements in Chapter 140.

For each standard and special condition which is state enforceable only, state-only enforceability is designated with the following statement: **Enforceable by State-only.**

## STANDARD CONDITIONS

- (1) Employees and authorized representatives of the Department shall be allowed access to the licensee's premises during business hours, or any time during which any emission units are in operation, and at such other times as the Department deems necessary for the purpose of performing tests, collecting samples, conducting inspections, or examining and copying records relating to emissions and this license;
- (2) The licensee shall acquire a new or amended air emission license prior to commencing construction of a modification, unless specifically provided for in Chapter 140;
- (3) Approval to construct shall become invalid if the source has not commenced construction within eighteen (18) months after receipt of such approval or if construction is discontinued for a period of eighteen (18) months or more. The Department may extend this time period upon a satisfactory showing that an extension is justified, but may condition such extension upon a review of either the control technology analysis or the ambient air quality standards analysis, or both;
- (4) The licensee shall establish and maintain a continuing program of best management practices for suppression of fugitive particulate matter during any period of construction, reconstruction, or operation which may result in fugitive dust, and shall submit a description of the program to the Department upon request; **Enforceable by State-only**
- (5) The licensee shall pay the annual air emissions license fee to the Department, calculated pursuant to Title 38 MRSA § 353;
- (6) The Part 70 license does not convey any property rights of any sort, or any exclusive privilege;
- (7) The licensee shall maintain and operate all emission units and air pollution control systems required by the air emission license in a manner consistent with good air pollution control practice for minimizing emissions; **Enforceable by State-only**

- (8) The licensee shall maintain sufficient records, to accurately document compliance with emission standards and license conditions and shall maintain such records for a minimum of six (6) years. The records shall be submitted to the Department upon written request or in accordance with other provisions of this license;
- (9) The licensee shall comply with all terms and conditions of the air emission license. The submission of notice of intent to reopen for cause by the Department, the filing of an appeal by the licensee, the notification of planned changes or anticipated noncompliance by the licensee, or the filing of an application by the licensee for the renewal of a Part 70 license or amendment shall not stay any condition of the Part 70 license.
- (10) All terms and conditions are enforceable by EPA and citizens under the CAA unless specifically designated as state enforceable.
- (11) The licensee may not use as a defense in an enforcement action that the disruption, cessation, or reduction of licensed operations would have been necessary in order to maintain compliance with the conditions of the air emission license;
- (12) In accordance with the Department's air emission compliance test protocol and 40 CFR Part 60 or other method approved or required by the Department, the licensee shall:
  - (a) perform stack testing under circumstances representative of the facility's normal process and operating conditions:
    - (i) within sixty (60) calendar days of receipt of a notification to test from the Department or EPA, if visible emissions, equipment operating parameters, staff inspection, air monitoring or other cause indicate to the Department that equipment may be operating out of compliance with emission standards or license conditions;
    - (ii) to demonstrate compliance with the applicable emission standards; or
    - (iii) pursuant to any other requirement of this license to perform stack testing.
  - (b) install or make provisions to install test ports that meet the criteria of 40 CFR Part 60, Appendix A, and test platforms, if necessary, and other accommodations necessary to allow emissions testing; and
  - (c) submit a written report to the Department within thirty (30) days from the date of test completion.

**Enforceable by State-only**

- (13) If the results of a stack test performed under circumstances representative of the facility's normal process and operating conditions indicates emissions in excess of the applicable standards, then:
- (a) within thirty (30) days following receipt of such test results, the licensee shall re-test the non-complying emission source under circumstances representative of the facility's normal process and operating conditions and in accordance with the Department's air emission compliance test protocol and 40 CFR Part 60 or other method approved or required by the Department; and
  - (b) the days of violation shall be presumed to include the date of stack test and each and every day of operation thereafter until compliance is demonstrated under normal and representative process and operating conditions, except to the extent that the facility can prove to the satisfaction of the Department that there where intervening days during which no violation occurred or that the violation was not continuing in nature; and
  - (c) the licensee may, upon the approval of the Department following the successful demonstration of compliance at alternative load conditions, operate under such alternative load conditions on a interim basis prior to a demonstration of compliance under normal and representative process and operating conditions.

**Enforceable by State-only**

- (14) Notwithstanding any other provision in the State Implementation Plan approved by the EPA or Section 114(a) of the CAA, any credible evidence may be used for the purpose of establishing whether a person has violated or is in violation of any statute, regulation, or Part 70 license requirement.
- (15) Compliance with the conditions of this Part 70 license shall be deemed compliance with any Applicable requirement as of the date of license issuance and is deemed a permit shield, provided that:
- (a) Such Applicable and state requirements are included and are specifically identified in the Part 70 license, except where the Part 70 license term or condition is specifically identified as not having a permit shield; or
  - (b) The Department, in acting on the Part 70 license application or revision, determines in writing that other requirements specifically identified are not applicable to the source, and the Part 70 license includes the determination or a concise summary, thereof.

Nothing in this section or any Part 70 license shall alter or effect the provisions of Section 303 of the CAA (emergency orders), including the authority of EPA under Section 303; the liability of an owner or operator of a source for any violation of Applicable requirements prior to or at the time of permit issuance; or the ability of EPA to obtain information from a source pursuant to section 114 of the CAA.

- (16) The licensee shall retain records of all required monitoring data and support information for a period of at least six (6) years from the date of the monitoring sample, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the Part 70 license.
- (17) The licensee shall maintain records of all deviations from license requirements. Such deviations shall include, but are not limited to malfunctions, failures, downtime, and any other similar change in operation of air pollution control systems or the emission unit itself that is not consistent with the terms and conditions of the air emission license. The licensee shall notify the Department within two (2) days or the next working day, whichever is later, of such occasions and shall report the probable cause, corrective action, and any excess emissions in the units of the applicable emission limitation;
- (18) Upon the written request of the Department, the licensee shall establish and maintain such records, make such reports, install, use, and maintain such monitoring equipment, sample such emissions (in accordance with such methods, at such locations, at such intervals, and in such manner as the Department shall prescribe), and provide other information as the Department may reasonably require to determine the licensee's compliance status.
- (19) The licensee shall submit semiannual reports of any required periodic monitoring. All instances of deviations from Part 70 license requirements must be clearly identified in such reports. All required reports must be certified by a responsible official.
- (20) The licensee shall submit a compliance certification to the Department and EPA at least annually, or more frequent if specified in the Applicable requirement by the Department. The compliance certification shall include the following:
  - (a) The identification of each term or condition of the Part 70 license that is the basis of the certification;
  - (b) The compliance status;



- (c) Whether compliance was continuous or intermittent;
  - (d) The method(s) used for determining the compliance status of the source, currently and over the reporting period; and
  - (e) Such other facts as the Department may require to determine the compliance status of the source;
- (21) The Part 70 license shall be reopened for cause by the Department or EPA, prior to the expiration of the Part 70 license, if:
- (a) Additional Applicable requirements under the CAA become applicable to the Part 70 major source with a remaining Part 70 license term of 3 or more years. However, no opening is required if the effective date of the requirement is later than the date on which the Part 70 license is due to expire, unless the original Part 70 license or any of its terms and conditions has been extended pursuant to Chapter 140;
  - (b) Additional requirements (including excess emissions requirements) become applicable to the Title IV source under the acid rain program. Upon approval by EPA, excess emissions offset plans shall be deemed to be incorporated into the Part 70 license;
  - (c) The Department or EPA determines that the Part 70 license contains a material mistake or that inaccurate statements were made in establishing the emission standards or other terms of conditions of the Part 70 license; or
  - (d) The Department or EPA determines that the Part 70 license must be revised or revoked to assure compliance with the Applicable requirements.
- The licensee shall furnish to the Department within a reasonable time any information that the Department may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the Part 70 license or to determine compliance with the Part 70 license.
- (22) No license revision or amendment shall be required, under any approved economic incentives, marketable licenses, emissions trading or other similar programs or processes for changes that are provided for in the Part 70 license.

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**SPECIAL CONDITIONS**

(23) Permit Shield for Non-Applicable Requirements

The following requirements have been specifically identified as not applicable based upon information submitted by the licensee in an application dated June 21, 1996.

SOURCE	CITATION	DESCRIPTION	BASIS FOR DETERMINATION
Boiler #2	40 CFR Part 60, Subpart Dc	Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units	Commenced construction prior to June 9, 1989
Facility	Chapter 134	VOC RACT	Facility is licensed for over 40 tons VOC/year, however, wood kilns are exempt from VOC RACT, and non-wood drying emissions are limited to less than 39.9 tons VOC/year
Facility	Chapter 138	NO <sub>x</sub> RACT	Facility is limited to less than 99.9 tons NO <sub>x</sub> /year
Boiler #2	40 CFR Part 60, Subparts D, Da, Db	Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units	Boiler #2 has a heat input capacity of less than 100 MMBtu/hr
Gasoline Storage	40 CFR 60, Subpart K, Ka, Kb	Storage Vessels for Petroleum Liquids	Tank capacity is less than 10,000 gallons

(24) Boiler #2

A. J.P. Levesque is licensed to operate Boiler #2 (39.3 MMBtu/hr) which is licensed to fire wood and biomass. [MEDEP Chapter 140, BPT]

B. Emissions from Boiler #2 shall not exceed the following limits:

<i>Pollutant</i>	<i>lb/MMBtu</i>	<i>Origin and Authority</i>	<i>Enforceability</i>
PM	0.14	MEDEP Chapter 140, BPT	-

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<i><b>Pollutant</b></i>	<i><b>lb/hr</b></i>	<i><b>Origin and Authority</b></i>	<i><b>Enforceability</b></i>
PM	5.5	MEDEP Chapter 140, BPT	<b>Enforceable by State-only</b>
PM <sub>10</sub>	5.5	MEDEP Chapter 140, BPT	<b>Enforceable by State-only</b>
SO <sub>2</sub>	0.35	MEDEP Chapter 140, BPT	<b>Enforceable by State-only</b>
NO <sub>x</sub>	1.58	MEDEP Chapter 140, BPT	<b>Enforceable by State-only</b>
CO	27.6	MEDEP Chapter 140, BPT	<b>Enforceable by State-only</b>
VOC	3.93	MEDEP Chapter 140, BPT	<b>Enforceable by State-only</b>

- C. J.P. Levesque shall operate the boiler such that the visible emissions from the stack does not exceed 30% opacity on a six-minute block average basis, for no more than 2 six-minute block averages in a 3-hour period. [MEDEP Chapter 140, BPT]
- D. J.P. Levesque shall maintain records of annual fuel use indicating the quantity of fuel consumed in tons per month, in addition to a 12-month rolling total. [MEDEP Chapter 140, BPT]
- E. J.P. Levesque shall only use wood fuel consisting of sawdust and hog fuel consisting of bark, sawdust and chips.
- F. All ash collected (fly and bottom) shall be deposited directly into sealed containers and be disposed of in accordance with the applicable regulations of the Bureau of Remediation and Waste Management. [Chapter 140, BPT]  
**Enforceable by State-only**
- G. Particulate matter (PM, PM<sub>10</sub>) emissions from Boiler #2 shall be controlled by the operation and maintenance of the Zurn Multiclone Centrifugal Dry Collector. The multi-tube dry collector shall be continuously operated at all times when Boiler #2 is in operation. J.P. Levesque shall keep maintenance records for the multiclone. J.P. Levesque shall also utilize fly ash re-injection to reduce PM emissions in order to comply with licensed limits. [Chapter 140, BPT]

- (25) Wood Chip Piles  
Visible emissions from the wood chip storage area shall not exceed 5% opacity on a three-minute block average basis. The chips shall be wetted with sufficient water to meet the opacity limit.
- (26) Process Cyclones  
A. Visible emissions from each process cyclone shall not exceed 5% opacity on a six-minute block average basis.  
B. J.P. Levesque shall keep records documenting maintenance, malfunctions and downtime of the cyclones.
- (27) J.P. Levesque shall maintain monthly records of gasoline throughput for the gasoline storage tank. Should the throughput exceed 10,000 gallons in any month, the tank shall be subject to MEDEP Chapter 118.
- (28) J.P. Levesque shall maintain monthly records of board feet (BF) of lumber processed in the kilns, in addition to a 12-month rolling total. J.P. Levesque shall not exceed a limit of 100 million BF per year, based on a 12-month rolling total.
- (29) Recordkeeping  
For all recordkeeping required by this license, the licensee shall maintain records of the most current six-year period. [MEDEP Chapter 140]
- (30) J.P. Levesque shall notify the Department within 48 hours and submit a report to the Department on a quarterly basis if a malfunction or breakdown in any component causes a violation of any emission standard (Title 38 MRSA §605-C).
- (31) Semiannual Reporting  
The licensee shall submit semiannual reports every six months to the Bureau of Air Quality. The initial semiannual report is due January 30, 2002.  
A. Each semiannual report shall include a summary of the periodic monitoring required by this license.  
B. All instances of deviations from license requirements and the corrective action taken must be clearly identified and provided to the Department in summary form for each six-month interval.  
[MEDEP Chapter 140]
- (32) Annual Compliance Certification  
The licensee shall submit an annual compliance certification to the Department in accordance with Condition (20) of this license. The initial annual compliance certification is due January 30, 2002 with the submittal of the first semiannual report after the signature date of this license. [MEDEP Chapter 140]

- (33) Degreasers shall be maintained and operated in accordance with the requirements of MEDEP Chapter 130, and shall not exceed 0.1 tons per year of VOC emissions.
- (34) Fugitive PM emissions from stockpiles and roadways not specifically addressed in this license shall not exceed an opacity of 10% on a three-minute block average basis. Visible emissions shall be controlled with water, calcium chloride, or other acceptable means approved by the Bureau of Air Quality.
- (35) There shall be no on site storage of ash other than in sealed containers, or as otherwise approved by the Department.
- (36) Bunker storage piles shall not exceed forty feet in height.
- (37) A. Annual Emission Statement  
In accordance with MEDEP Chapter 137, the licensee shall annually report to the Department the information necessary to accurately update the State's emission inventory by means of:
- 1) A computer program and accompanying instructions supplied by the Department;  
or
  - 2) A written emission statement containing the information required in MEDEP Chapter 137.

Reports and questions should be directed to:

Attn: Criteria Emission Inventory Coordinator  
Maine DEP  
Bureau of Air Quality  
17 State House Station  
Augusta, ME 04333-0017

Phone: (207) 287-2437

The emission statement must be submitted by September 1.

- (38) The licensee is subject to all applicable requirements of 40 CFR Part 82, Subpart F (Refrigerant Control).

(39) The licensee is subject to the State regulations listed below.

<u>Origin and Authority</u>	<u>Requirement Summary</u>
Chapter 102	Open Burning
Chapter 109	Emergency Episode Regulation
Chapter 110	Ambient Air Quality Standard
Chapter 116	Prohibited Dispersion Techniques

(40) Certification by a Responsible Official  
 All documents and reports (including quarterly reports, semiannual reports, and annual compliance certifications) required by this license to be submitted to the Bureau of Air Quality must be signed by a responsible official. [MEDEP Chapter 140]

(41) The term of this license shall be five (5) years from the signature date below.

DONE AND DATED IN AUGUSTA, MAINE THIS                      DAY OF                      2001.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY: \_\_\_\_\_  
 MARTHA G. KIRKPATRICK, COMMISSIONER

PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES

Date of initial receipt of application: June 24, 1996

Date of application acceptance: January 2, 1998

Date filed with the Board of Environmental Protection \_\_\_\_\_

This Order prepared by Elisha McVay, Bureau of Air Quality.